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Dated: July 22, 2009 Signature: /Mark D. Russett/
Mark D. Russett, Reg. No. 41,281

Docket No.: 62069DIV2 (51590)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
G. Pasternak et al.

Application No.: 10/823,365

Confirmation No.: 4859

Filed: April 13, 2004

Art Unit: 1617

For: TOPICAL ANESTHETIC/OPIOID
FORMULATIONS AND USES THEREOF

Examiner: K.R. McMillian

RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants are in receipt of the final Office Action dated January 22, 2009 (the "Office Action"), and now submit this response. A request for extension of time (through and including July 22, 2009) is being filed herewith. This paper is believed to be timely filed. Please consider the remarks that follow:

REMARKS/ARGUMENTS begin on page 2 of this paper.